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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,653	10/22/2003	Hidenori Sunada	00684.003532	6502
5514	7590	06/28/2004	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			ROYER, WILLIAM J	
			ART UNIT	PAPER NUMBER
			2852	

DATE MAILED: 06/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/689,653

Applicant(s)

SUNADA ET AL.

Examiner

William J. Royer

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-5 is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/8/04; 12/12/03; 10/21/03.</u> | 6) <input type="checkbox"/> Other: ____. |

This application is in condition for allowance except for the following formal matters:

Drawings

The drawings are objected to because of the following informalities:

In Figure 10, change reference numeral "107" to --- 1007 ---.

Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The disclosure is objected to because of the following informalities:

In Figure 1, reference numeral "62" is shown, however, reference numeral "62" does not appear to be identified in the specification.

On page 2, line 1, change "new one" to --- a new load unit ---.

On page 2, line 1, change "it" to - the image forming apparatus main assembly -.

On page 2, line 11, change "are" to --- is ---.

On page 2, line 15, change "its" to --- the units ---.

On page 3, line 8, change "is" to --- in ---.

On page 4, line 5, change "by a no means" to --- by a means ---.

On page 4, line 5, change "it" to --- the load unit ---.

On page 4, lines 25-26, "Each in such a positional relationship, it is considered that a receiving" should be rewritten in a more grammatical correct form.

On page 5, line 5, change "unindended" to --- unintended ---.

On page 5, line 7, change "FOR" to --- For ---.

On page 7, line 22, delete "1" because reference numeral "1" is used to identify an "image forming apparatus main assembly" throughout the rest of the specification, not a printer.

On page 7, line 26, delete "a, b, c and d" because the noted reference letters do not appear to be shown in any of the figures.

On page 8, lines 3 and 6, delete "a, b, c and d" because the noted reference letters do not appear to be shown in any of the figures.

On page 8, line 13, change "1o1d" to --- 11d ---.

On page 8, line 17, change "vie" to --- view ---.

On page 9, line 22, change "drum" to --- drums ---.

On page 11, line 10, change "drum" to --- drums 11a to 11d ---.

On page 12, line 19, change "thee" to --- the ---.

On page 13, lines 8 and 22, after "material" insert --- P ---.

On page 13, line 11, change "transfer" to --- recording ---.

On page 13, line 11, change "put" to --- but ---.

On page 13, line 15, delete --- only one ---.

On page 13, line 16, change "4a" to --- 24a ---.

On page 13, line 23, change "ar" to --- are ---.

On page 14, line 18, change "6" to --- 36 ---.

On page 14, line 26, change "30" to --- 32 ---.

On page 15, lines 10-16 should be rewritten in a more grammatically correct form.

On page 15, line 18, change "35" to --- 30 ---.

On page 15, line 19, change "fro" to --- from ---.

On page 16, line 14, change "gain" to --- again ---.

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On page 16, line 19, change "image" to --- images ---.

On page 16, line 21, change "is" to ---a re ---.

On page 16, line 27, delete --- an ---.

On page 17, line 1, change "roller" to --- rollers ---.

On page 17, lines 3 and 22, after "material" insert --- P ---.

On page 17, line 14, change "etc" to --- and the like ---.

On page 17, line 22, after "27" insert --- is disposed ---.

On page 18, line 7, change "The" to --- An ---.

On page 18, line 7, change "means 4" to --- unit 704 (Figure 7) ---.

On page 18, line 24, change "paper feed roller" to ---BC or paper feed rollers" because the "BC rollers" terminology is used on page 13 when reference numeral "23a" is identified.

On page 18, lines 25-27, change "roller" to --- rollers ---.

On page 18, line 27, change "ar" to --- are ---.

On page 19, line 3, change "roller" to --- rollers ---.

On page 20, line 5, change "intermediary" to --- secondary ---.

On page 20, line 8, change "3" to --- 30 ---.

On page 20, lines 10-11, delete --- Thereafter, the recording material P at the same time. --- because the statement already appears at lines 9-10.

On page 21, delete --- a to d --- because the noted reference letters do not appear to be shown in any of the figures.

On page 21, line 4, change "the driving" to --- driving ---.

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On page 21, line 4, change "18a to 18d" to --- 18 (18a to 18d) ---.

On page 21, line 13, after "couplings" insert --- 19a, 19b, 19c, and 19d ---.

On page 21, line 17, change "16n" to --- 16b ---.

On page 21, line 19, change "16b" to --- 16d ---.

On page 22, line 1, after "in" insert --- the ---.

On page 22, line 10, change "700" to --- 701 ---.

On page 24, line 5, change "close" to --- closed ---.

On page 24, line 6, after "assembly" insert --- 1 ---.

On page 24, line 13, change "thee" to --- the ---.

On page 24, line 19, change "operation" to --- operations ---.

On page 24, lines 21, 23 and 26, change "the life" to --- life ---.

On page 24, line 21, after "calling" insert --- the ---.

On page 24, line 23, change "operating" to --- operation ---.

On page 24, line 24, change "means 4" to --- unit 704 ---.

On page 24, line 27, change "operation" to --- operations ---.

On page 25, line 2, after "material" insert --- P ---.

On page 25, line 2, delete --- the ---.

On page 25, line 4, change "etc" to --- and the like ---.

On page 25, line 7, change "mid stream" to --- mid-stream ---.

On page 25, line 9, change "operation" to --- operations ---.

On page 25, lines 16 and 26, after "assembly" insert --- 1 ---.

On page 26, line 1, change "triangular" to --- triangle ---.

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On page 26, line 2, change "coupling portions" to --- couplings ---.

On page 26, line 5, change "lengths" to --- length ---.

On page 26, line 20, change "the" to --- and ---.

On page 26, lines 24 and 25, before "detection" insert --- open/close ---.

On page 26, line 24, after "pin" insert --- 1006 ---.

On page 27, line 13, change "close" to --- closed ---.

On page 27, lines 20 and 26, after "couplings" insert --- 191, 192 ---.

On page 28, line 17, after "is" insert --- no ---.

On page 28, line 22, change "close" to --- closed ---.

On page 31, line 13, change "rotting" to --- rotating ---.

On page 31, line 14, change "diving" to --- driving ---.

On page 31, line 26, after "outputting" insert --- an ---.

On page 35, line 6, change "driving" to --- drive ---.

Appropriate correction is required.

The abstract of the disclosure is objected to because of the inclusion of legal phraseology, i.e., means. Correction is required. See MPEP § 608.01(b).

The abstract is objected to because

Claim Objections

Claim 1 is objected to because of the following informalities:

Claim 1, line 5, change "driving means" to --- drive means--- because "drive means" is used throughout the claims, not "driving means."

Appropriate correction is required.

Allowable Subject Matter

Claims 1-5 are allowable over the prior art of record because the prior art of record fails to teach or suggest providing an image forming apparatus in which an apparatus main assembly performs rotational drive of a drive means before reading out data from a noncontact memory provided on a process cartridge.

Relevant Prior Art

The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Richards discloses providing wireless interaction with memory associated with a replaceable module.

Kimizuka discloses an image forming apparatus including a unit detachably attachable to a main assembly having a memory and an antenna electrically connected to the memory.

Yoshimura discloses an image processing apparatus, a unit used in the apparatus, and a memory device mounted on the unit.

Karakama et al disclose a memory member, process cartridge and image forming apparatus.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Royer whose telephone number is (571) 272-2140. The examiner can normally be reached on Monday-Thursday and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur T. Grimley can be reached on (571) 272-2136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink that reads "William J. Royer". The signature is fluid and cursive, with the first name "William" and last name "Royer" clearly distinguishable.

William J. Royer
Primary Examiner
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wjr
June 25, 2004